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COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Agenda item 13 (b)

DRAFT PROVISIONAL AGENDA FOR THE FIFTIETH SESSION OF THE SUB-COMMISSION

Note by the Secretary-General

The following draft provisional agenda for the fiftieth session of the Sub-Commission is submitted in accordance with paragraph 3 of Economic and Social Council resolution 1894 (LVII) and includes an indication for each item of the documents to be prepared in implementatin of the relevant Sub-Commission decisions. If necessary, the draft provisional agenda will be amended in the light of any decisions which the Sub-Commission may take after the preparation of this document.

GE.97-13992 (E)

The text of the draft provisional agenda for the fiftieth session of the Sub-Commission reads as follows:

1. Organization of work:

   (a) Election of officers;

   (b) Adoption of the agenda;

   (c) Methods of work of the Sub-Commission.

   Legislative authority: Commission on Human Rights resolution 1997/22; Sub-Commission resolution 1992/8 and decisions 1994/117, 1995/112, 1995/113 and 1997/113.

   Documentation:

   Revised working paper by Mr. Hatano relating to the methods of work of the Sub-Commission (resolution 1997/16).

2. Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories: report of the Sub-Commission under Commission on Human Rights resolution 8 (XXIII)

   Legislative authority: Sub-Commission resolution 1997/1 and decision 1997/113.

3. Comprehensive examination of thematic issues relating to the elimination of racial discrimination:

   (a) Situation of migrant workers and members of their families;

   (b) Xenophobia.

   Legislative authority: Sub-Commission resolutions 1994/4, 1997/4 and 1997/5 and decision 1996/120.

   Documentation:

   Joint working paper on article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination by two members of the Sub-Commission and of the Committee on the Elimination of Racial Discrimination, respectively (decision 1996/120).

4. The realization of economic, social and cultural rights:

   (a) The international economic order and the promotion of human rights;

   (b) The realization of the right to development;

(c) The question of transnational corporations;

(d) The realization of the right to education, including education in human rights.

Legislative authority: Sub-Commission resolutions 1989/1, 1996/22, 1996/39, 1997/6, 1997/7, 1997/11, 1997/18 and 1997/19 and decisions 1997/107 and 1997/108.

Documentation:

(a) Background document by Mr. Guissé on the question of the relationship between the enjoyment of human rights and the working methods and activities of transnational corporations (resolution 1997/11, para. 3);

(b) Working paper by Mr. Guissé on the question of the promotion of the realization of the right of access of all to drinking water supply and sanitation services (resolution 1997/18, paras. 3 and 4);

(c) Final report and supplementary document of the Special Rapporteur on human rights and income distribution (decision 1997/107);

(d) Updated study on the right to food by Mr. Eide (decision 1997/108).

5. The implementation of the human rights of women:

(a) Traditional practices affecting the health of women and the girl child;

(b) The role and equal participation of women in development.

Legislative authority: Sub-Commission resolutions 1996/19, 1997/8 and 1997/9.

Documentation:

Follow-up report of the Special Rapporteur on the situation regarding the elimination of traditional practices affecting the health of women and the girl child (resolution 1997/8, para. 13).

6. Contemporary forms of slavery

Legislative authority: Economic and Social Council decisions 16 and 17 (LVI) and Sub-Commission resolutions 1989/41, 1997/21 and 1997/22 and decision 1997/114.

Documentation:

(a) Report of the Secretary-General on the Programme of Action for the Elimination of the Exploitation of Child Labour (resolution 1997/22, para. 28);

(b) Report of the Working Group on Contemporary Forms of Slavery on its twenty-third session (resolution 1997/22);

(c) Final report on systematic rape, sexual slavery and slavery-like practices during periods of armed conflict (decision 1997/114).

7. Human rights of indigenous peoples:

(a) Indigenous peoples and their relationship to land

Legislative authority: Economic and Social Council resolutions 1982/34 and 1989/77; Commission on Human Rights resolution 1997/32 and decisions 1997/112 and 1997/114; Sub-Commission resolutions 1997/12, 1997/13 and 1997/14 and decision 1997/110.

Documentation:

(a) Final working paper of the Special Rapporteur on indigenous land rights (resolution 1997/12, para. 3);

(b) Report of the Working Group on Indigenous Populations on its sixteenth session (resolution 1997/14);

(c) Final report of the Special Rapporteur on the study on treaties, agreements and other constructive arrangements between States and indigenous populations (decision 1997/110).

8. Prevention of discrimination against and the protection of minorities

Legislative authority: Commission on Human Rights resolutions 1995/24 and 1997/16; Sub-Commission resolutions 1994/4 and 1997/23.

Documentation:

Report of the Working Group on its fourth session (resolution 1997/23).

9. The administration of justice and human rights:

(a) Question of human rights and states of emergency;

(b) Application of international standards concerning the human rights of detained juveniles;

(c) Gross and massive violations of human rights as an international crime;

(d) Juvenile justice.

Legislative authority: Sub-Commission resolutions 1997/25, 1997/26 and 1997/27 and decision 1997/116.

Documentation:

(a) Working paper by Ms. Gwanmesia on juvenile justice (resolution 1997/25, para. 6);

(b) Preliminary report by the Special Rapporteur on privatization of prisons (resolution 1997/26, para. 1);

(c) Eleventh annual report by the Special Rapporteur on human rights and states of emergency (resolution 1997/27, para. 3).

10. Freedom of movement:

(a) The right to leave any country, including one's own, and to return to one's own country, and the right to seek asylum from persecution;

(b) Human rights and population displacements.

Legislative authority: Sub-Commission resolutions 1994/24, 1997/29, 1997/30 and 1997/31.

Documentation:

Preliminary report by the Special Rapporteur on the right to freedom of movement (resolution 1997/30, para. 3).

11. Situation regarding the promotion, full realization and protection of the rights of children and youth

Legislative authority: Sub-Commission resolution 1997/32.

12. Review of further developments in fields with which the Sub-Commission has been or may be concerned:

(a) The fiftieth anniversary of the adoption of the Universal Declaration of Human Rights;

(b) Review of developments concerning recommendations and decisions relating, *inter alia*, to:

(i) Promotion, protection and restoration of human rights at national, regional and international levels;

(ii) Elimination of all forms of intolerance and of discrimination based on religion or belief;

(iii) Encouragement of universal acceptance of human rights instruments;

(c) Review of issues not previously the subject of studies but which the Sub-Commission had decided to examine:

(i) Implications of humanitarian activities for the enjoyment of human rights;

(ii) Terrorism and human rights;

(iii) International peace and security as an essential condition for the enjoyment of human rights, above all the right to life;

(d) Other new developments:

(i) Adverse consequences of the transfer of arms and illicit trafficking in arms on the enjoyment of human rights;

(ii) Arbitrary deprivation of nationality.

Legislative authority: Sub-Commission resolutions 1997/33, 1997/35, 1997/36, 1997/37, 1997/38, 1997/39, 1997/40, 1997/41, 1997/42 and 1997/43 and decision 1997/118.

Documentation:

(a) Working paper by Ms. Forero Ucros concerning a study on weapons of mass destruction or with indiscriminate effect, or of a nature to cause superfluous injury or unnecessary suffering (resolution 1997/36, para.2; resolution 1997/37);

(b) Preliminary report by the Special Rapporteur on terrorism and human rights (resolution 1997/39, para. 6);

(c) Report of the Secretary-General (resolution 1997/41, para. 2);

(d) Preliminary report by the Special Rapporteur on potentially adverse and positive consequences of scientific progress (resolution 1997/42, para. 1);

(e) Working paper by Mr. Bossuyt on the concept of affirmative action (decision 1997/118).

13. Communications concerning human rights; report of the Working Group on Communications established under Sub-Commission resolution 2 (XXIV) in accordance with Economic and Social Council resolution 1503 (XLVIII)

Legislative authority: Economic and Social Council resolution 1503 (XLVIII) and Sub-Commission resolutions 1 (XXIV) and 2 (XXIV).

Documentation:

Confidential report of the Working Group and supporting papers.

14. Concluding items:

(a) Consideration of the future work of the Sub-Commission;

(b) Draft provisional agenda for the fifty-first session of the Sub-Commission;

(c) Adoption of the report of the fiftieth session.

Legislative authority: Economic and Social Council resolution 1894 (LVII).

Documentation:

Note by the Secretary-General containing the draft provisional agenda for the fifty-first session of the Sub-Commission, together with information concerning documentation relating thereto.

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